

To: Johnson, Kathleen[Johnson.Kathleen@epa.gov]
From: Diamond, Jane
Sent: Mon 11/24/2014 5:47:02 PM
Subject: RE: Suggested agenda for Dec 1 meeting

Oh, you did cc me!

Jane Diamond

Water Director, EPA Region 9

415-947-8707

From: Johnson, Kathleen
Sent: Monday, November 24, 2014 9:11 AM
To: Moon, Laura K.@DWR; Rea, Maria@NOAA
Cc: Diamond, Jane; Hagler, Tom
Subject: Suggested agenda for Dec 1 meeting

Laura, based on feedback from our team regarding the first technical meetings, we suggest the following topics be on the agenda for the Dec. 1 policy meeting #2 on the BDCP, which Kathleen Johnson, Jane Diamond and Tom Hagler will attend from EPA.

Based on our notes from Policy Meeting #1 on October 29th, we would suggest the following two topics as follow-up items.

- Review status of follow up items from the October 29 meeting.
- At the October 29 meeting, the State indicated that it would not be addressing in the Supplemental the topic of ground water use changes resulting from surface water delivery changes and EPA's suggestion of including a mitigation measure for groundwater management in the southern San Joaquin Valley, because of the recently enacted State ground water legislation. We would like to discuss having a description in the Supplemental of how this and other new legislation and policies related to the project objectives and impacts.

Of the topics you originally identified for Policy Meeting #2, we suggest taking them in the following order.

The items at the top may take more discussion than the items at the bottom which may only need a quick discussion of the current status. We also note that there is at least one technical meeting which will take place between now and our meeting which may further define what we may need to discuss.

- [REDACTED] EPA concern that modeling shows persistent violations of water quality standards in the Delta related to salinity and chloride.
- [REDACTED] EPA concerned that CM1 operations would not protect beneficial uses for aquatic life, thereby violating the Clean Water Act.
- [REDACTED] EPA is concerned that the BDCP does not include adequate description of detailed monitoring and management activities to support adaptive management, which should be consistent with current state and federal programs.
- [REDACTED] EPA is concerned about how the Rio Vista minimum flows will be met and how the State Board's current process for revisions to the WQCP has been integrated into the BDCP.
- [REDACTED] EPA concerned that, in some cases, different NEPA effects determinations are provided for similar analyses and some NEPA conclusions were not provided.
- [REDACTED] EPA concern that project would worsen water quality for users who divert water directly from the Delta, including increasing bromide around the North Bay Aqueduct intake at Barker Slough.

I will be in the office today and tomorrow, please call if you would like to discuss. We look forward to talking with you on December 1st.

Kathleen H. Johnson

Director, Enforcement Division

U.S. EPA - Region 9

75 Hawthorne Street ENF-1

San Francisco, CA 94015

415/972-3873

johnson.kathleen@epa.gov